

110TH CONGRESS
2D SESSION

H. R. 6007

To authorize the Secretary of Transportation to establish a Port of Guam Improvement Enterprise Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2008

Ms. BORDALLO introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the Secretary of Transportation to establish a Port of Guam Improvement Enterprise Program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PORT OF GUAM IMPROVEMENT ENTERPRISE**
4 **PROGRAM.**

5 (a) IN GENERAL.—The Secretary of Transportation,
6 acting through the Administrator of the Maritime Admin-
7 istration (in this section referred to as the “Adminis-
8 trator”), may establish a Port of Guam Improvement En-

1 terprise Program (in this section referred to as the “Pro-
2 gram”) to provide for the planning, design, and construc-
3 tion of projects for the Port of Guam to improve port fa-
4 cilities, relieve port congestion, increase port security, and
5 provide greater access to port facilities.

6 (b) AUTHORITIES OF THE ADMINISTRATOR.—In car-
7 rying out the Program, the Administrator may—

8 (1) receive funds provided for the Program
9 from non-Federal entities, including private entities,
10 that have entered into a specific contract or agree-
11 ment with the Administrator;

12 (2) provide for coordination among appropriate
13 governmental agencies to expedite the review process
14 under the National Environmental Policy Act of
15 1969 (42 U.S.C. 4321 et seq.) for projects carried
16 out under the Program;

17 (3) provide for coordination among appropriate
18 governmental agencies in connection with other re-
19 views and requirements applicable to projects carried
20 out under the Program;

21 (4) provide technical assistance to the Port Au-
22 thority of Guam (and its agents) as needed for
23 projects carried out under the Program; and

24 (5) encourage partnerships between public and
25 private entities for the development and financial

1 support of projects carried out under the Program,
2 to the extent that the Administrator considers nec-
3 essary and in accordance with the guidelines estab-
4 lished in a memorandum of understanding between
5 the Government of Guam and the Administrator.

6 (c) INTERMODAL SURFACE FREIGHT TRANSFER FA-
7 CILITY ELIGIBILITY.—Notwithstanding any other provi-
8 sion of law, an intermodal or marine facility comprising
9 a component of the Program is deemed to be eligible to
10 be an intermodal surface freight transfer facility for the
11 purposes of section 601(8)(D) of title 23, United States
12 Code.

13 (d) PORT OF GUAM IMPROVEMENT ENTERPRISE
14 FUND.—

15 (1) ESTABLISHMENT.—There is established in
16 the Treasury of the United States a separate ac-
17 count to be known as the “Port of Guam Improve-
18 ment Enterprise Fund” (in this section referred to
19 as the “Fund”).

20 (2) DEPOSITS.—There shall be deposited into
21 the Fund—

22 (A) amounts received by the Administrator
23 from non-Federal sources under subsection
24 (b)(1);

1 (B) amounts transferred to the Adminis-
2 trator under subsection (e); and

3 (C) amounts appropriated to carry out this
4 section under subsection (f).

5 (3) USE OF AMOUNTS.—Amounts in the Fund
6 shall be available to the Administrator to carry out
7 the Program.

8 (4) ADMINISTRATIVE EXPENSES.—Not to ex-
9 ceed 3 percent of the amounts appropriated to the
10 Fund for a fiscal year may be used for administra-
11 tive expenses of the Administrator.

12 (5) AVAILABILITY OF AMOUNTS.—Amounts in
13 the Fund shall remain available until expended.

14 (e) TRANSFERS OF AMOUNTS.—Amounts appro-
15 priated or otherwise made available for any fiscal year for
16 an intermodal or marine facility comprising a component
17 of the Program shall be transferred to and administered
18 by the Administrator.

19 (f) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to the Fund such sums
21 as may be necessary to carry out this section.

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